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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

YINGCHUN SUN,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security,

Defendant.

No. C 08-1257 SI

**PARTIES' JOINT REQUEST TO BE
 EXEMPT FROM FORMAL ADR
 PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to plaintiff's request that this Court compel defendants to adjudicate the application for adjustment of status and refugee relative petition. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources.

Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the

Parties Request to be Exempt from ADR
 C08-1257 SI

1 ADR Multi-Option Program and that they be excused from participating in the ADR phone
2 conference and any further formal ADR process.

3 Dated: May 23, 2008

Respectfully submitted,

4 JOSEPH P. RUSSONIELLO
5 United States Attorney

6
7 /s/
8 ILA C. DEISS¹
Assistant United States Attorney
Attorney for Defendant

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10 Dated: May 23, 2008


11 /s/
12 JUSTIN X. WANG
Attorney for Plaintiff

13 **ORDER**

14 Pursuant to stipulation and to ADR L. R. 3-3(c), the parties are hereby removed from the
15 ADR Multi-Option Program and are excused from participating in the ADR phone conference and
16 any further formal ADR process.

17 **SO ORDERED.**

18 Dated:

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20 SUSAN ILLSTON
21 United States District Judge
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27 ¹ I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures
28 indicated by a "conformed" signature (/S/) within this efiled document.